

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NICK HAUENSTEIN,

Plaintiff,

V.

SOFTWRAP LTD., et al.,

Defendants.

No. C07-572MJP

ORDER DENYING MOTION FOR
RECONSIDERATION

This matter comes before the Court on Plaintiff's motion for reconsideration. (Dkt. No. 18.)

Plaintiff asks the Court to reconsider its decision to dismiss this action without prejudice and compel arbitration. Plaintiff argues that arbitrating his claims in London is financially unfeasible. He also argues that Defendants failed to proffer any physical evidence of a contract between the parties.

Motions for reconsideration are generally disfavored. The Court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence. Local Civil Rule 7(h). Here, Plaintiff has not pointed to any new facts or new legal authority, which with reasonable diligence, could not have been brought to the Court's attention earlier. Plaintiff offers a declaration in support of reconsideration in which he details his income and the cost of arbitrating in London. (See Dkt. No. 19.) But Plaintiff offers no reason why he could not have presented these facts earlier.

In addition, Plaintiff does not dispute the most critical facts compelling arbitration — that on three separate occasions he registered with Defendant Softwrap by clicking his assent to Softwrap's Licensing Agreement and that the Licensing Agreement mandates that all claims arising under the Agreement be arbitrated in London.

For these reasons, the motion for reconsideration is DENIED.

The clerk is directed to send a copy of this order to all counsel of record.

Dated this 4th day of September, 2007.

Marsha J. Pechman
Marsha J. Pechman
United States District Judge